

To: Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy
From: Craig Worthington
Re: Breathe Free Act – SB 150

May 30, 2007

There will be many letters and statements regarding the health issues concerned with smoking. If this issue was about public safety rather than business concerns and tax revenues this whole topic would be moot. I would like our state government to know that I will be working to unseat any of the Representatives that vote to allow smoking in public places. To me it is the same as allowing drunk drivers on the road; somebody will die because of lack of action.

The Federal government has limited the liability of cigarette manufacturers. Smart lawyers will be looking to sue someone for the death of a second hand smoke victim. Let it be the bar owner who employed the waitress or bartender who got cancer on the job. Let it be the State for its lack of action after being presented with all the evidence.

I am a new resident of Wisconsin. I came from California where smoking has been banned in public for years and you will be surprised to know that restaurants and bars are still in business and smokers are still smoking. Though smokers complained initially, they have adjusted to the law just as they will here in Wisconsin. As business owners seem to be overly concerned with the loss of business if smoking is banned, let them be aware that they are losing mine and other's business because we can not stand the stench of tobacco, let alone the health aspect.

The issue here is to do what is right or live in fear of a *perceived loss of income that may happen* if the restriction goes into place. The fact is that State after State is opting for the protection of the many. State after State, the population is adjusting and it is working for everyone. It seems to me that the only way a public servant could not agree to smoke free public areas is if they are getting paid to vote against it by a private party.

This is not about taking the right to smoke away from someone. I have a son, a brother and a sister-in-law that smoke but are courteous and considerate of others and smoke outside. They even choose to have their homes and cars smoke free. They know the retail value of their property is greater when people know it has been tobacco free.

I believe this is not a question of why we want smoke free public areas since this question has been answered. The real question is, why hasn't our government done this on their own? I would like a member of my coalition to get a personal reason for the record, of any representative who opposes this quality of life issue; one that I consider as important as abortion since the loss of life is the true determining factor.

Craig Worthington
1006 Mt. Mary Drive
Green Bay WI, 54311
920-544-9471

May 30, 2007

Dear Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Marty Adams and I am a Public Health Sanitarian for Brown County. My job is to license and inspect bars / taverns, restaurants, grocery stores and motel/hotels in the area around Lambeau Field. The majority of these locations fall under Senator Robert Cowles district.

During the workweek, there are many days that I go home with plugged sinuses, headaches and smelling of smoke. These are the days where I am in smoke-filled environments for a good portion of my day. The days that I am not in the smoky environments my symptoms are not present. Therefore, I know that the smoke is the source of the problem. You know it is bad when you go home and your significant other and children complain of the smoke odors minutes of walking in the door.

This past year about 20% of the bars/taverns in my district went out of business or had a new owner take over the business. This trend is fairly normal. The tavern owners continue to say that they will be run out of business if the smoking ban goes into effect in Wisconsin. Again, about 20% change ownership every year with smoking allowed. Bars / taverns and restaurants are licensed to sell food and various forms of drinks. Some are alcoholic beverages and some are milk, soda, and juices. I will bet that 100% of Wisconsinites will still continue to eat and drink today, tomorrow and next year whether a smoking ban is put in place or not. Who is going to stop eating or drinking because they can not smoke in a bar / tavern or restaurant? Will we see mass starvation? Is happy hour going to end at the bars? The answer is NO. All bars and restaurants will still be able to serve their great food, ethnic dishes or just a plain cold beer.

I have worked in the food industry for 23 years. Bars / taverns and restaurants go out of business due to poor service, poor food, prices that are too high for the product received or poor location of the business. The owners/managers have control of all these items.

It is about time Wisconsin joins Illinois, Minnesota and about 20 other states to ban smoking in all workplaces... no exemptions! Level the playing field for all communities in Wisconsin and businesses will continue to succeed. Look at Appleton and Madison, there are waiting lists for liquor licenses! Businesses will continue to thrive in Wisconsin.

For the health of all Wisconsinites, now is the time to be able to breathe clean air. Please vote for the Breathe Free Act - SB 150.

Sincerely,



Marty Adams
1848 Mill Road
Greenleaf, WI 54126
920-532-5057

May 29, 2007

Dear Senator Cowles and The Committee on Public Health, Senior Issues, Long Term Care and Privacy,

Tobacco represents the greatest public health threat of our time, and causes more death and disability than any other avoidable factor. Workplace smoking bans in other states and countries have typically reduced smoking rates by approximately 10%. Enacting such a ban in Wisconsin would result in improved health, as well as reduced healthcare costs and taxes. As a practicing physician, and Medical Director of Arise Health Plan in Green Bay, and as your constituent, I would strongly encourage the committee to move forward with the workplace smoking ban as recommended by Governor Doyle.

In Medical School, one of our professors posed a question; what human invention has saved more lives than any other single invention? The answer was not penicillin, or sterile surgery or CT scanners. The answer was modern plumbing. I imagine the debate over 100 years ago might have been very similar to the current debate regarding the workplace tobacco restrictions.

The arguments against modern plumbing and building codes would sound very similar to the arguments against a workplace smoking ban. "Urination and defecation are normal human functions. We should be allowed to go wherever we want to." Or perhaps, "Men have been going in the woods since time began, and to restrict where we relieve ourselves is an infringement of basic human rights." Another argument might have been, "The added expense of indoor plumbing will cause me to go out of business."

However, very strong public urination and defecation laws, as well as building codes have been enacted to protect the public health. It was felt that the right to relieve oneself in public was outweighed by the harm done to others. Today, nobody disputes the need and importance of these laws.

It is clear that we need similar laws to regulate the use of tobacco products, because the issues are quite similar, and tobacco represents a tremendous public health threat that causes death and greatly increased expenses for Wisconsin taxpayers. Last year, the United States Surgeon General reported over 50,000 deaths annually from second hand smoke. His report noted that there are no air filtration systems that can adequately clean cigarette smoke from the air, and as a result more than half of all Americans are exposed to significant amounts of second hand smoke.

Studies have shown that the direct healthcare costs for smoking in Wisconsin are over \$2 billion annually. Over half of these costs are paid for by government programs such as Medicare and Medical Assistance. If smoking rates are reduced by 10%, and the cost reductions are comparable to what has been seen elsewhere, simply implementing a workplace smoking ban would save Wisconsin taxpayers over \$100 million per year in state and federal costs.

May 30, 2007

Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Danielle DuFour and I am Miss Green Bay Area 2007. I live at 1155 Sandhill Drive in Green Bay, WI. This fall I will be a senior at St Norbert College in De Pere, WI. My Senator is Robert Cowles.

I am writing to ask for your support of SB 150, the Breathe Free WI act what will make all worksites smoke free with no exceptions.

When I decided to run for Miss Green Bay Area 2007 I did not have to think about what my platform would be...a tobacco free Wisconsin. My father and aunt, who are brother and sister, died from cancer caused by tobacco use. Losing a parent is never easy, no matter what age or stage of life. To lose a father at 15 years old, an extremely vulnerable age, is something I never want another child to go through. If there had been fewer places that tolerated smoking perhaps my father would have been able to successfully quit smoking one of the many times he tried.

I am one of the 31,000 children that are left fatherless yearly because of tobacco. This number must be decreased. The Breathe Free WI Act is a step in the right direction to preventing others from starting to smoking and helping current smokers quit. This is not taking into consideration the people who desire to live tobacco free lifestyles but are unable to do so because of their employment. In fact, I worked at a bar and grill restaurant for half a year and had to quit because of the health issues I was experiencing from the 50+ hours of exposure to tobacco smoke a week. I was extremely disappointed that I had to quit a job I enjoyed and needed, but risking my health was not worth it.

In memory of the fathers that have been lost to tobacco use, and the children who lost those fathers, I strongly believe it is only fair that Wisconsin acts to make all workplaces smoke free.

Thank you for the opportunity to testify.

May 31, 2007

The Committee on Public Health, Senior Issues, Long Term Care and Privacy

My name is David Benam and I am a senior at Bay Port High School in Green Bay. Today is my last day of High School and that is why I am not present today.

I am here to represent the youth of Brown County and Wisconsin. Also, I am a State Youth Board of Director for FACT (Fight Against Corporate Tobacco).

The "facts" tell us what will cause fewer teens to start using tobacco products. One very important solution is having smoke-free facilities. By having a smoke-free all employees are protected from the harmful effects of secondhand smoke.

Kids all over Wisconsin my age are seeking part time employment. Many teens will be working at jobs where they are exposed to the dangerous health effects from secondhand smoke, not because they want to but their options are limited.

To prevent youth from using tobacco and for the health of all Wisconsin residents please support the Breathe Free Act – SB 150 with no exemptions!

Thank you.

Sincerely,

David Benam
1110 Chaple Hill Circle
Green Bay, WI 54313

May 29, 2007

The Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Mary Kelly. I am a Community Health Educator, Registered Respiratory Therapist and an Asthmatic. Thank you for the opportunity to allow my letter to be heard. I am writing to ask you to support SB 150.

As an American Lung Association-Freedom from Smoking facilitator, a Registered Respiratory Therapist, Cardiopulmonary Rehabilitation Therapist, Asthmatic and an ex-smoker, I know first hand the damage that smoking can cause. I have seen countless individuals spend their last years living an agonizing life, in a depressed state, caused by a constant struggle to breathe. This results in a lack of ability to enjoy a minimally active life. By active, I mean being able to walk to the mail box, actively participate in conversation with others, and basically leave their home. This has been caused by the development of Chronic Pulmonary Obstructive Disease (COPD) or lung cancer which is a result of smoking. These individuals spend their last years in and out of the hospital and countless years taking expensive medication.

As a child who was exposed to second hand smoke, growing up in a home with a smoker, I developed asthma as a young adult. Due to multiple medications that must be taken daily, my asthma is thankfully in control at the present time. However, I am not able to participate in activities that take place in environments where cigarette or cigar smoke is present. Even hotels must provide smoke free rooms for me to be able to stay in them. I would NEVER be able to work in an atmosphere where smoking is permitted.

As a result of my knowledge and experience with the devastating results of exposure to tobacco smoke, I beg you to prevent smoking in public and private buildings where individuals are exposed to the harmful and addictive chemicals in cigarette and cigar smoke. Many workers are limited in their choice of work environments. However, ALL workers should be able to breathe clean air in their jobs. This will protect them from the damaging effects of tobacco smoke and prevent medical problems and expenses for all.

In addition to indoor smoke exposure, I request that any bills that protect air quality in general are supported. What we do today affects our future lives and that of our children. Please vote wisely for health!

Thank you for the opportunity to voice my opinion today. I have lived in Wisconsin for the majority of my life and am proud that it is a progressive state that considers the health of its residents. Please vote in support of SB 150.

Respectfully,

Mary P. Kelly, MS, CHES
1430 Skylark Lane
Green Bay, WI 54313

May 30, 2007

Dear Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Beth Longley and I am a resident of Green Bay.

I am here today to honor the memories of my parents, Carl and Marlyn. They both died within the past two years of smoking related diseases, lung and colon cancer. I look back now and remember how slowly and awful their health deteriorated. It was so hard to visit them even in the end because of the second-hand smoke. They were both so addicted to tobacco that they didn't stop smoking until they ended up in the hospital.

After they both died, it was my family's job to take care of their affairs. One of those jobs was to clean their house of the remaining personal belongings and put the house up for sale. The amount of time and effort that it took to wash the walls, floors and the cupboards was very overwhelming. My parents had smoked in that house for several decades and nobody realized how damaged the house had become from the second-hand smoke. The smell when you entered the house is something that I will never forget. It had a distinct awful smell. We did have to throw out many things that just couldn't be used because of the smell. Keepsakes and belongings, thrown away because of the damage from the second-hand smoke. This was very sad and traumatic because I only have their memories. I don't have item to pass down to their grandchildren or great-grandchildren.

Knowing what my parent's house looked like after years of smoking in it, I can only imagine what the walls and floors are like in bars and restaurants look like. A smoke-free Wisconsin will reduce youth from starting to use tobacco and a smoke-free Wisconsin will allow for everyone to be a part of a healthier community. Hopefully the next generation won't have to face tobacco related diseases. Hopefully there will be clean air wherever they work, eat and hang out. That is why it is important for you to support the Breathe Free Act – SB 150. This will make all worksites smoke-free – NO EXPEMPTIONS!

Thank you for your time.

Sincerely,

Beth Longely
1515 Eastman Avenue
Green Bay, WI 54302
920-432-8460

Testimony on SB 150
Presented on behalf of a coalition of Madison tavern owners
By Jerry Deschane
May 31, 2007

We represent a small group of Madison tavern owners who are experiencing firsthand the economic impact of a partial smoking ban. It is a partial smoking ban because it only applies to the city of Madison, not surrounding communities. Smoking in public buildings, including taverns, is prohibited in Madison. It is not prohibited in taverns in communities adjacent to Madison. As a result of this ban, several "mom and pop" taverns in Madison have gone out of business. Other taverns have seen their business drop by 50-percent. At the same time, at least one tavern owner outside the city of Madison has reported a significant increase in that tavern's business volume. An uneven playing field does not work.

Our appeal to the Legislature is for a level playing field. If you choose to pass a statewide smoking ban, make it a uniform smoking ban. If you choose to ban smoking in taverns, ban it in all taverns. On the other hand, if you exempt smoking in taverns, exempt it from all taverns.

Wisconsin is a state dominated by small towns. Madison is a small town. It only takes a couple of minutes more to drive from an in-town tavern to an out of town tavern. Those who prefer a tavern where smoking is allowed only have to go a few blocks or a couple miles down the road. The economic damage that has been done to many Madison taverns is proof that people can and will vote with their feet.

Government has the right to impose regulations that have a significant impact on business. However, government has a responsibility to recognize the economic effect of those regulations. Government also has a responsibility to impose regulations fairly. Similar treatment as their competitors is all Madison tavern owners are seeking.

May 31, 2007

To: The Senate Public Health Committee

From: Jim Christensen, Owner
Kurtz's Pub & Deli
Two Rivers, WI 54241
920-793-1222

I know there is strong opposition to the smoking ban from the Tavern League, of which I am a member. I strongly disagree with their narrow-minded position on this issue. The Board of Directors of the WRA recently voted overwhelmingly to support a statewide ban. They are correct in wanting to level the playing field. Both of our sister states, Illinois and Minnesota, have just passed smoking bans. We need to join them in the progressive tradition of Wisconsin and really make it a level playing field for all of us.

Tobacco kills 444,000 smokers every year in the U.S. and secondhand smoke inhaled by bystanders claims another 50,000 lives. ⁽¹⁾

The majority of people in Wisconsin clearly want a smoking ban. As legislators, you will be subject to a lot of pressure. Sometimes you just have to stand up, stiffen your backbone, and do the right thing for the majority of the people you have been elected to represent.

We all know how healthcare costs are spiraling out of control in this country. You now have an opportunity to save lives and save money for the future prosperity and well-being of this great state. Don't let this chance pass you by! Please support SB 150.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Christensen', with a long horizontal flourish extending to the right.

Jim Christensen

May 31, 2007

Dear Honorable Members of the WI Senate Public Health Committee:


For the past 7 years, I have been privileged to serve as the Coordinator for a local Tobacco Prevention and Control Coalition. I became involved in this Coalition because I lost both of my parents and my husband's parents all due to lung cancer caused by smoking, and all died before ever reaching the age of 60. I work in the field of tobacco control because I want to do whatever I can to prevent another generation from suffering from the burden of tobacco.

However, I am here today as a Citizen of the great state of Wisconsin and, more importantly, as a mother. One of my children is a life-long asthma sufferer. He is one of 450,000 Wisconsin residents (approximately 9% of the population) that live daily with asthma. A statewide, comprehensive smoke-free air law is an opportunity for all Wisconsin residents to "breathe free", but as a parent of an asthma sufferer eliminating the potential for secondhand smoke exposure for my son is a life and death experience.

I like to think that at the age of 18, my son is a fairly sturdy individual even though he lives with asthma. He is a four year Varsity football award winner at Cedarburg High School, and an all-conference selection for his tearing up the football field as a running back and defensive back. But, nothing cut him down faster than when he performed with his garage band classmates at a local bar/restaurant "battle of the bands" event last summer. Just one adult smoking at the bar area of this "family restaurant" in Cedarburg was enough to send my otherwise healthy son gasping for air and needing a hospital admission for inhalation therapy. Through his career in football, he has had several broken bones and even a spinal contusion running with the ball, but nothing frightened me more than seeing my son gasping for air because of exposure to someone else's tobacco smoke.

In one week, he will graduate from Cedarburg High School and will next fall be a student at UW-Milwaukee, a campus that went entirely smoke-free as of September 2006. It's time for everyone who lives and works in Wisconsin to have the same basic protections from secondhand smoke. A consistent, strong statewide policy eliminates the confusion of wondering "is this business truly smoke-free (forget designated areas or ventilation)" and establishes a statewide standard of eliminating exposure to secondhand smoke in public, indoor areas.

Thank you for putting the health of Wisconsin residents as a priority issue. Thank you for understanding that indoor exposure to other people's tobacco smoke is a life and death issue...especially a daily challenge for those Wisconsin residents who live with asthma and other lung diseases, like my son Ian.

Sue Marten 
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Columbia-Marquette Tobacco Free Coalition

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Portage, WI 53901
Office: (608)742-8811, ext. 243
cmtfc@hotmail.com

May 30, 2007

Dear Members of the Senate Public Health Committee:

The Columbia-Marquette Tobacco Free Coalition would like to take this opportunity to share with you information on secondhand smoke and the benefits of a 100% smoke-free workplace law for Wisconsin.

According to the 2006 Surgeon General's report

- Secondhand smoke is a serious health hazard that causes premature death and disease in nonsmoking adults and there is no risk free level of exposure.
- Breathing even a little secondhand smoke can have immediate adverse effects on the cardiovascular system, interfering with the normal functioning of the heart, blood, and vascular systems in ways that increase the risk of heart attack.

Secondhand smoke also affects those who work in the hospitality sector

- Food service workers have a significantly greater risk of dying from lung cancer than the general public, due in part to their continuous exposure to secondhand smoke at work.
- Evidence from smoke-free communities show smoke-free policies improve restaurant and bar workers' health. For example, within several months of going smoke free, Madison bartenders saw a significant reduction in respiratory symptoms like wheezing, cough and eye/nose irritation.

Twenty states including our neighbors Illinois and Minnesota as well as Washington, D.C. have enacted comprehensive smoke-free workplace laws that cover all restaurants and taverns. Wisconsin bar and restaurant workers deserve the same protection from secondhand smoke that employees in these states already enjoy.

Polls show that almost two-thirds (64%) of Wisconsin voters support a comprehensive smoke-free workplace law that includes all restaurants and bars. There is also support from the business sector, the Wisconsin Restaurant Association along with several tourism and visitor bureaus from throughout the state support a statewide comprehensive law.

Protecting our right to breathe clean air is a health and safety issue and should be no more optional than ensuring our food, water and public facilities are safe.

Thank you,

Jill McCormick, Coordinator
Columbia-Marquette Tobacco Free Coalition

Mission Statement

The Columbia-Marquette Tobacco Free Coalition supports the Wisconsin Department of Health and Family Services, Division of Public Health's mission of aggressively pursuing the elimination of tobacco use by partnering with communities to prevent tobacco use among youth, promote cessation, and eliminate second-hand smoke.

Senate Bill 150 Hearing
May 31, 2007

My name is Robert Feulner. I am a retired physician and practiced Radiology at Waukesha Memorial Hospital and at the Medical College of Wisconsin for over 50 years. I know well the ravages of tobacco related cancer and other diseases, having practiced radiation oncology as well as diagnostic radiology.

In 1960 I began speaking about the dangers of tobacco usage at public schools and local service organizations. For years afterward, at chance encounters, I heard sincere expressions of gratitude from people who had quit smoking after having heard the message. I have chosen to speak today because I wish for you to be able to enjoy similar pleasurable experiences.

I strongly urge you to vote in favor of SB 150. By doing so you will hold the gratitude and esteem of those people whose lives otherwise would have been compromised by second-hand smoke. It will be a vote for which you will be proud and your constituents will be grateful.

I have assumed that members of this committee are fully aware of the hazards of tobacco usage and knowledgeable about the serious effects of second-hand smoke. Tobacco is the cause, not the issue. The issues before you today are those of tolerance. Tolerance is an estimable trait. But there is a time for intolerance. American intolerance for British taxation and rule resulted in the creation of this country. Intolerance of slavery is always justified. Intolerance of unhealthy living is not quite as easily justifiable. It becomes so when illness is thrust upon you by others through no fault of your own. It then becomes your right to be intolerant.

Second-hand tobacco causes lung cancer, and aggravates chronic obstructive pulmonary disease, atherosclerotic vascular disease and asthma. It is being thrust upon us by the shameless tobacco industry which lied to Congress about its addictiveness. Yesterday, a N.Y. Times editorial celebrated a 50% reduction in smoking from 42% in 1964 to 21% today. The editorial decried the 50,000 annual deaths from second hand smoke. Those deaths are inexcusable and should not be tolerated; nor should illnesses caused by second-hand smoke be tolerated.

I strongly urge you to join the admirable work of Senators Risser, Roessler, Coggs, Miller and Darling and their legislative cosponsors by voting favorably in support of Senate Bill 150.

Robert C. Feulner, M.D., FACR
N57 W38243 Lakeland Dr.
Oconomowoc, WI 53066

May 31, 2007

Dear Honorable Member of the Senate Public Health Committee,

As I cannot be with you personally at this hearing today, I am leaving this written statement via a colleague because I feel so passionately about smoke-free air.

Please vote YES on SB150 which proposes a Wisconsin state-wide ban on smoking in public places. I am a family practice physician in the Milwaukee area, and I can't tell you strongly enough how secondhand smoke affects both my patients and my family.

I have a patient with asthma, let's call her Jane. Jane works in a bar in the Milwaukee area, and because she is a student putting herself through school, she needs to make the maximum money for the least amount of flexible work hours. Working in a bar provides her with both, but with one BIG CATCH. For her 6-8 hour shift, she must inhale large quantities of secondhand smoke. Jane's health is being affected in several ways. First of all, a worker who spends 8 hours in a smoke-filled room is exposed to the same amount of carcinogens as actively smoking one pack of cigarettes. Second, Jane's asthma is much worse after inhaling all of that smoke, and she has to be on expensive extra asthma medicines that she would not have to be on were she working in a smoke-free bar. And, when she gets a respiratory infection, forget it-she is out of work for a week until her lungs can calm down sufficiently to tolerate the added irritant of secondhand smoke.

My family enjoys going out to restaurants, some with bars, in the greater Milwaukee area. My husband and I have started to walk out of smoke-filled bars and restaurants. If my children are with me, I ask them to hold their breath until we are outside again. My two sons both have asthma, and the smoke really bothers their asthma. The CDC has issued a warning that all patients at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking. I don't know the state of my coronary arteries, do you? Why risk it? We would go out MORE OFTEN if we did not have to face the secondhand smoke. Profits in bars and restaurants in smoke-free New York City have actually GONE UP since NYC became smoke-free. And forget no smoking sections and ventilation systems-they don't work. As the "Helena Hear Study" co-author Dr. Richard Sargent likes to say, "It's like swimming in the non-peeing section of the pool. Would you really want to?"

There are now reams of scientific evidence that back up my stories. The Surgeon General's report released in June 2006, The Health Consequences of Involuntary Exposure to Tobacco Smoke, demonstrated through scientific evidence that no amount of secondhand smoke is safe, and the only way to protect nonsmokers from secondhand smoke is to ensure smoke free indoor spaces. In addition, in 2005 the American Society of Heating, Refrigerating and Air Conditioning Engineers stated in a position paper that no ventilation system can adequately clean the air of secondhand smoke in order to protect non-smokers, and the ONLY way to eliminate the ill effects of secondhand smoke is to make indoor areas 100% smoke-free.

Senators, the public is with you on this ban. Polls have shown that two thirds of Wisconsin voters are in favor of the ban. PLEASE DO NOT let a very loud minority of bar and tavern owners fueled by money and scare tactics from the tobacco industry influence your decision on this crucial issue.

Please vote to APPROVE SB150 and send it to the full Senate for their approval as well.

These words come from the bottom of my heart,
Thank you for your attention.

A handwritten signature in cursive script that reads "Barbara Moser MD". The signature is written in dark ink and is positioned above the printed contact information.

Barbara Moser, MD
5365 N. Lake Drive
Whitefish Bay, WI 53217
Home: 414-332-4744
barbaramwfb@aol.com

May 30, 2007

Freedom = ability to choose

Choice = business owners & Wisconsin consumers

Economics = no sales= no revenue

I am John Cummins the owner of Jack's Tobacco, the president of the Milwaukee Cigar Society and a member of the newly formed Cigar Store Alliance of WI.

I have been in business for 15 years; I run a small retail cigar store which consists of cigars, cigarettes, chew, snuff, pipe tobacco, ryo tobacco and tobacco related accessories. I have had to make many decisions in my years in business, some have been good, and others have been bad. But, that being said good or bad, as the owner they are my decisions because they were **my choice**. I am opposed to the proposed statewide smoking ban. I feel as the owner of a small retail cigar shop and a member of the CSAW alliance that we are all in a small group of businesses that are geared towards and promote smoking and the enjoyment that people get from it. The smoking ban would have a great impact on my business in a very bad way. I would have a tough time staying open because half of my store is allocated towards a smoking lounge and no one would be able to use it, not even myself. I would have to close the lounge and maybe the entire shop, and with that I would lose my livelihood and the government of WI would lose the revenue I pay on a regular basis.

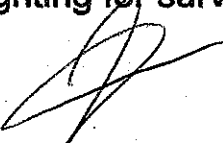
I have worked very many long hours to stay in business through the good times and the bad and I have a difficult time having the government of WI telling me whether I can or cannot smoke in my own business. My business is tobacco! How can the state rightly take away my choice as a privately owned business? In taking away that choice from me you also take it away from any individual that chooses to smoke in my shop. My store is open to any individual that is 18 or older who makes the decision to come in and buy tobacco products and knows that there will be smoking inside. The lounge half of my business is clearly marked and anyone over 18 has the choice outside whether to come in or not. I believe that is the way it should be. If they don't like the smoke they don't have to stay. My customers are the ones who generate the sales which generate the revenue that I in turn pay to you. My customers make the decision to come in, buy tobacco products and support me. The individual

consumer in WI should not be told that they have no choice. If the action is legal and they are of legal age isn't that their choice, and likewise the action of any other adult to make the choice not to.

The small business owners in WI should be the ones making the decisions regarding a smoking policy in their business. So if I make the decision to allow smoking my customers upon entering the store can then make their own decision whether they want to stay or not. The easiest way to accomplish this it would seem is for each business owner to have a sign, either smoker friendly or smoke free, right out front of their business. So when an adult comes to the door there will be no question about the smoking policy. They can decide for themselves as an adult to enter or not. I currently have a sign clearly placed on the front of my business just as businesses don't allow smoking, my sign says, **"we have made no provisions for non-smokers."** How much easier can it be than that?

I hope you will consider my thoughts and opinions as this issue greatly affects me and the future of my business. I would hate to see the state of WI be able to take away my choice and the choice of the WI consumer. I would also like to take this opportunity to issue an invitation to meet any or all of you in person at your convenience. I would love to have the chance to express my position in greater detail and have you understand the passion I have about the business I am in. I as a representative of the CSAW and a registered voter and taxpayer, I would appreciate the time to talk to each and everyone of you.

Fighting for survival,



John Cummens

Jack's Tobacco

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Website: jackstobaccowi.com

CSAW; CSAWI.org



Wisconsin Public Health Association
Wisconsin Association of Local Health
Departments and Boards



TO: Senate Public Health Committee Chair and members
FROM: Wisconsin Public Health Association & Wisconsin Association of Local Health Departments and Boards
DATE: May 31, 2007
RE: Support for Senate Bill 150 – The Breath Free Wisconsin Act

The Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would like to take this opportunity to urge you to support Senate Bill 150 – the Breath Free Wisconsin Act. The legislation would create a statewide smoking ban in any public indoor place or place of employment – including restaurants and taverns.

We believe your constituents deserve protection from the dangers of secondhand smoke, which is a proven human health hazard. In fact, the Surgeon General has confirmed that secondhand smoke leads to chronic disease and premature death, and the only way to protect non-smokers is to prohibit smoking in indoor environments.

Nineteen states, including our neighbors in Minnesota, have enacted smoke-free workplace laws that cover all restaurants and taverns. It's time for the citizens of Wisconsin to have those same protections. Just as your constituents expect to have clean drinking water and a safe food supply, they also have a right to breathe clean air. Not surprisingly, nearly two-thirds (64%) of Wisconsin voters support a statewide smoke-free workplace law.

Twenty years of scientific research that clearly illustrate the health dangers of secondhand smoke simply cannot be ignored. It's time to give all Wisconsin citizens the right to *Breath Free* and work in a smoke-free environment. Once again, the Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would urge you to support Senate Bill 150.

The Wisconsin Association of Local Health Departments and Boards is a statewide organization comprised of local boards of health members and health department administrators. The organization provides a unified forum for public health leadership, development, advocacy, education and forging of community partnerships to improve public health at the local level. WALHDAB represents over 800 local boards of health members and public health officers.

The Wisconsin Public Health Association is a statewide organization dedicated to protecting and promoting personal and public health through educational and scientific programs. As one of the state's largest associations of public health professionals, WPHA represents more than 350 members from public and private sector organizations. Members include individuals from local, regional and state public health agencies as well as hospitals, clinics, community-based organizations and academia.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
530 CHICAGO HALL
CHICAGO, ILL. 60637

TO THE HONORABLE CHAIRMAN OF THE BOARD OF TRUSTEES
THE UNIVERSITY OF CHICAGO
530 CHICAGO HALL
CHICAGO, ILL. 60637

Dear Sirs: I am writing to you to express my appreciation for the opportunity to work in the Department of Chemistry during the past year. It has been a most enjoyable and profitable experience, and I am sure that the work I have done will be of value to the Department.

I have been very fortunate to have worked under the guidance of Professor [Name], who has been most helpful and encouraging. I have also had the pleasure of working with many of the other members of the Department, and I am sure that they will all be of great help to me in the future.

I am sure that the work I have done during the past year will be of great value to the Department, and I am sure that I will be able to continue to make a contribution to the work of the Department in the future. I am sure that I will be able to continue to make a contribution to the work of the Department in the future.

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Serving the
Lodging Industry
for Over 100 Years

May 31, 2007

To: Senate Committee on Public Health, Senior Issues, Long Term
Care, and Privacy
Senator Tim Carpenter, Chairman
From: Jeff Machut, 2007 Chairman of the Board (Owner/Operator of
The AmericInn Madison South)
Trisha Pugal, President, CEO
RE: Support of SB 150 Statewide Smoking Ban

The Board of Directors of the Wisconsin Innkeepers Association, representing over 1,000 Hotels, Motels, Resorts, Inns, Condos, and Bed & Breakfasts throughout Wisconsin, respectfully asks for your timely support of SB 150, the Statewide Smoking Ban bill.

With the data you likely have already heard this afternoon on other states already passing statewide smoking bans (Minnesota and Illinois most importantly as border states), and the challenges with municipalities each addressing the issue – resulting in a patchwork effect impacting fair competition between like businesses separated by municipal lines, good reasons already exist for supporting this bill.

With the lodging industry having many owners/operators also responsible for a restaurant and bar, we also support this bill as the only proposed mechanism to ensure restaurants and bars do not have an unfair advantage over each other.

Within SB 150 there is an authorization for up to 25% of sleeping rooms at a lodging property to be designated as smoking rooms. While for some properties this is a reduction in their designated smoking rooms, we accept this restriction, as there is a national trend evolving toward lower smoking room counts for guests. As you are aware, a sleeping room is a private enclosed room/suite/unit provided solely to the paying guest – similar to one's own residence versus to a "public" area shared by multiple customers.

There are two changes to SB 150 that we respectfully seek your consideration of at the appropriate time:

- 1. Clarification in the limitation of "up to 25%" of sleeping rooms that can be designated as smoking rooms for the guest, to allow lodging properties with less than 4 rooms/units to provide one.**

The WIA has record of 368 lodging properties in Wisconsin with less than 4 rooms/units. Forcing small properties to turn away all guests requesting a private

1025 S. Moorland Rd.
Suite 200
Brookfield, WI 53005
262/782-2851
Fax# 262/782-0550
wia@execpc.com
<http://www.lodging-wi.com>





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Lodging Industry
for Over 100 Years

smoking room puts them at a disadvantage, when this could be resolved simply in the language.

2. **The addition of language that would specifically allow lodging properties to assess damages of up to \$500 on persons smoking in a designated non-smoking room.**

It is costly and time-consuming to cleanse a sleeping room or unit sufficiently to remove the odor from smoking in the air and in the many fabrics absorbing smoke in the sleeping room. When rooms are booked consecutively, a person ignoring the "non-smoking" designation and smoking in their room can cause an irate following customer also resulting in lost current and future room sales.

We appreciate your consideration of these changes and seek your support of SB 150.

CC; WIA Board of Directors
Kathi Kilgore

1025 S. Moorland Rd.
Suite 200
Brookfield, WI 53005
262/782-2851
Fax# 262/782-0550
wia@execpc.com
<http://www.lodging-wi.com>



CHAPTER IV
HEALTH

4.01 ADMINISTRATOR OF HEALTH

Administrator of Health, Health Department Administrator, or similar term when used in this Chapter or anywhere in the Code of General, Charter or Zoning Ordinances shall mean the Director of the Kenosha County Health Department, or designee(s) thereof, acting as the City enforcing agent under the provisions of a contract between the City and County of Kenosha.

4.02 MANURE

No manure shall be stored in the City, except in a fly proof and impervious container or covered with 6 inches of earth, except in the A-1 and A-2 Zoning Districts where manure may be stored in the open, conditioned upon it being intended for use as a fertilizer upon the land upon which stored, it being stored for no more than six (6) months, and it being stored in such manner so as to not constitute a public nuisance or a health hazard.

4.03 MOBILE HOMES AND PARKS

A. Additional Regulations on Mobile Homes and Mobile Home Parks. Wrecked, damaged or dilapidated mobile homes shall not be kept or stored in a Mobile Home Park or upon any premises in the City. The Inspector shall determine if a mobile home is damaged or dilapidated to a point which makes it unfit for human occupancy. Such mobile homes are hereby declared to be a public nuisance. Whenever the Inspector so determines, he shall notify the licensee or landowners and owner of the mobile home in writing that such public nuisance exists within the park or on lands owned by him giving the findings upon which his determination is based and shall order such home removed from the park or site or repaired to a safe, sanitary and wholesome condition of occupancy within a reasonable time.

B. Enforcement Of COMM 95. Section COMM 95 of the Wisconsin Administrative Code shall be enforced by the Kenosha County Health Department under authority of Chapter 16 of the Kenosha County Environmental Health/Food Ordinance.

4.05 SMOKING REGULATED IN RESTAURANTS AND GROCERY STORES

A. Purpose. This Ordinance is adopted for the purpose of regulating smoking in restaurants and grocery stores to protect the health, safety, and welfare of the public.

B. Finding By Kenosha County Board of Health. The Kenosha County Board of Health, at a duly noticed and convened meeting held on the 2nd day of March, 2000, recommended the adoption of this Ordinance to the Common Council of the City.

C. Findings of Common Council. The Common Council of the City finds that secondhand smoke from the smoking of tobacco affects frequenters and employees of grocery stores and restaurants as follows:

1. It is a health hazard.
2. It is a public nuisance, annoyance, inconvenience and discomfort.

D. Definitions. For purposes of this Ordinance, the following words and phrases shall have the meanings provided.

1. **"Full Service Bar"** shall mean a counterlike object with accessory seating for customers, over which fermented malt beverages or intoxicating liquors are sold for consumption on the premises. A service bar without accessory seating for customers shall not be considered a full service bar.

2. **"Full Service Bar Customer Seating Area"** shall mean the Customer Seating Area at the Full Service Bar in which the service of food is incidental to the consumption of fermented malt beverages or intoxicating liquors.

3. **"Grocery Store"** means a retail store whose primary business is the sale of food and a retail store that sells gasoline and oil in addition to food.

4. **"Restaurant"** means any building or room where, as the establishment's primary business, meals are prepared, or served or sold to transients or the general public, and all places used in connection with it, and includes any public or private school lunchroom. **"Restaurant"** also means a separate dining facility meeting the foregoing criteria located within an establishment, such as, but not limited to, a hotel, motel, hospital, retail store, or office building, whose primary business is not food service. **"Transient"** means a person who travels from place to place away from his/her permanent residence for vacation, pleasure, recreation, culture, business or employment.

5. **"Smoking"** means to smoke, carry, possess or control any lighted tobacco, including, but not limited to, cigars, cigarettes or pipes.

6. **"Separately ventilated"** means that the area

CODE OF GENERAL ORDINANCES, 2006 - KENOSHA, WISCONSIN

is ventilated to a standard specified in the State Building Code, Wisconsin Administrative Code, § Comm. 64.05, and that there is a ventilation system for the smoking area which is separate and distinct from the ventilation system for the nonsmoking area or areas so that there is no mixing of air from the smoking and nonsmoking areas.

7. "Tavern" means any establishment having a full service bar in which fermented malt beverages and/or intoxicating liquors are sold for consumption upon said premises and whose sale accounts for more than fifty (50%) percent of the establishment's gross receipts during the past City license year, verified under oath in a statement provided by an accountant or bookkeeper, filed with the City Clerk/Treasurer at the time of license renewal. New licensees shall estimate gross receipts for the first license year at the time of license application.

E. Prohibited Conduct.

1. No person shall engage in smoking within the enclosed indoor area of any grocery store or restaurant. These prohibitions also apply to restaurants within a mall, and include adjacent seating areas. These prohibitions do not apply to a room or hall in a restaurant or grocery store that is separately ventilated and separated by a total physical barrier, such as, but not limited to, a full wall without openings other than doors. The door to this room or hall may be opened and closed only for ingress and egress and shall be and remain closed at all other times. No person under the age of eighteen (18) years shall be permitted in such room or hall, unless a customer accompanied by their parent or legal guardian, or unless an employee having the written permission of their parent or legal guardian to work in a room or hall where smoking is permitted. These prohibitions do not apply to restaurants holding a "Class B" Intoxicating Liquor or Class "B" Fermented Malt Beverage License if the sale of intoxicating liquors and/or fermented malt beverages accounted for between thirty-three (33%) percent and fifty (50%) percent of the establishment's gross receipts during the past City license year, verified under oath in a statement provided by an accountant or bookkeeper, filed with the City Clerk/Treasurer at the time of license renewal, and having a Full Service Bar. New licensees shall estimate gross receipts for the first license year at the time of license application. The exemption shall not be in effect until this statement is filed. This exemption only applies to the Full Service Bar Customer Seating Area and not to the general seating area of the establishment.

These prohibitions do not apply to private functions within restaurants conducted in a separate

room or hall which is not open to the general public and where the sponsor of the event has elected to permit smoking and has notified invitees that smoking at the event will be permitted.

These prohibitions also do not apply to taverns where the licensee has filed the required verified statement of the establishment's gross receipts with the City Clerk/Treasurer.

2. No proprietor or other person in charge of a grocery store or restaurant shall place, provide or make available any ashtray or similar device used to facilitate smoking in an area where smoking is prohibited.

3. No proprietor or other person in charge of a grocery store or restaurant shall fail to display signs required by this Ordinance.

4. No person shall remove, deface or destroy any sign required by this Ordinance, except for purposes of prompt sign replacement by a proprietor or other person in charge of a grocery store or restaurant.

F. Signs Required. Signs prohibiting smoking shall be posted conspicuously at every entrance used by members of the public by the proprietor or other person in charge of each grocery store and restaurant. The signs shall be no smaller than 8-1/2" by 5-1/2", legibly reading "No Smoking By City Ordinance".

G. Duties of Proprietors Or Other Person in Charge of a Grocery Store or Restaurant.

1. The proprietor or other person in charge of a grocery store or restaurant shall post and maintain signs required by this Ordinance.

2. The proprietor or other person in charge of a grocery store or restaurant shall make reasonable efforts to ensure compliance with this Ordinance by patrons and employees by approaching persons who fail to voluntarily comply with this Ordinance and request that they extinguish their smoking material and refrain from smoking upon witnessing the person smoking or upon complaint from a person who witnessed the person smoking.

3. The proprietor or other person in charge of a grocery store or restaurant shall refuse service to a person smoking.

H. Notice To Person Smoking. Any person smoking in violation of this Section shall immediately cease and desist from so doing upon the request of the proprietor or person in charge of the grocery store

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or restaurant. Such person shall be subject to prosecution under this Ordinance upon failure to immediately cease and desist from smoking.

I. Hardship Exemption. Any grocery store or restaurant that proves the loss of gross receipts of more than ten (10%) percent as a result of compliance with this Ordinance for the period of December 14, 2000, through March 13, 2001, as compared to the period of December 14, 1999, through March 13, 2000, may apply to the Common Council for an exemption not to exceed two (2) years provided the application is filed with the office of the City Clerk/Treasurer on or before July 13, 2001. Any person seeking such exemption shall furnish to the City Clerk/Treasurer sufficient information to substantiate its request for an exception. If such exemption is granted, the proprietor or other person in charge of the grocery store or restaurant granted such exemption shall post conspicuously at every entrance used by members of the public, signs reading, "WARNING: SMOKING PERMITTED", which shall be at least 8-1/2" by 5-1/2".

J. Inspections. The County Health Department and City Departments of Neighborhood Services and Inspections, Police Department and Fire Department shall have the power to enter grocery stores and restaurants for inspection to ensure compliance with this Ordinance. The proprietor or other person in charge of the grocery store or restaurant shall cooperate with any such inspector/inspection.

K. Penalties. Any proprietor or person in charge of a restaurant or grocery store, or person smoking, or other person who violates any provision of this Ordinance shall, upon conviction, forfeit not less than Fifty (\$50.00) Dollars, nor more than Five Hundred (\$500.00) Dollars for the first violation, and not less than One Hundred (\$100.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars for the second and subsequent violations, plus the costs of prosecution and assessment. Each day of violation shall constitute a separate offense. In default of payment, the violator may be imprisoned in the County Jail for not more than sixty (60) days or until such forfeiture, plus costs and assessments, shall be paid.

4.06 RENDERING PLANTS

The provisions of Chapter ATCP, §57.09 of the Wisconsin Administrative Code are hereby adopted and made a part of this Chapter as if set forth in detail herein.

4.07 PENALTIES

Unless otherwise provided in this Chapter, any person, party, firm or corporation violating any provision of this Chapter shall, upon conviction thereof, be punished by payment of a forfeiture not less than Twenty-five (\$25.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, and in default of such payment of forfeiture and costs, shall be committed to the County Jail for a period of not more than sixty (60) days.



**TOBACCO SURVEILLANCE
& EVALUATION PROGRAM**

UNIVERSITY OF WISCONSIN
PAUL P. CARBONE
COMPREHENSIVE CANCER CENTER

TO: Members, Committee on Public Health, Senior Issues, Long Term Care and Privacy
Senator Tim Carpenter, Chairperson

FROM: Karen Palmersheim, PhD
University of Wisconsin Comprehensive Cancer Center

DATE: May 31, 2007

RE: Support of Senate Bill 150—"Breathe Free Wisconsin Act"

I am pleased to be here to testify in support of SB 150, as an epidemiologist and the director of the Tobacco Surveillance & Evaluation Program, within the University of Wisconsin Paul P. Carbone Comprehensive Cancer Center. I would like to briefly present the findings from two studies that clearly have relevance to the discussions surrounding SB 150.

We conducted two studies designed to assess change in secondhand smoke exposure and related upper respiratory health symptoms, relative to the implementation of smoke-free workplace ordinances on July 1, 2005, in Appleton and Madison, Wisconsin. Bartenders' level of exposure to secondhand smoke and 8 upper respiratory health symptoms were assessed 2 months prior to the establishment of the ordinances. Secondhand smoke exposure and upper respiratory symptoms were again assessed 3-5 months after the establishment of the ordinances, and again, approximately one year after the initial assessments had been conducted.

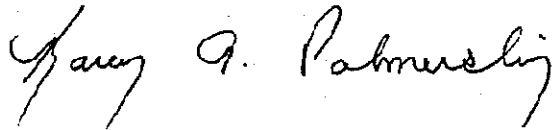
The data revealed that level of exposure to secondhand smoke in the workplace was significantly lower during both of the post-ordinance periods. Interestingly, exposure to secondhand smoke in the home and in other places was also significantly lower. But more importantly, significant reductions in all eight upper respiratory health symptoms were reported by non-smoking bartenders during both post-ordinance periods. Tables 1 and 2 present these findings (see attached tables).

The findings from these studies are not unique to Appleton and Madison bartenders. Our findings duplicate those of two previously reported studies --- one conducted in San Francisco, and the other in Scotland. Taken together, these studies serve to support the reliability of these findings.

In sum, these studies demonstrated that a significant reduction in upper respiratory health symptoms was experienced by non-smoking bartenders following the establishment of a smoke-free workplace ordinance in two Wisconsin cities—a finding associated with a significant reduction in exposure to secondhand smoke. These results suggest that SB 150 has the potential

to help reduce the future risk of disease related to secondhand smoke among employees of bars and restaurants statewide.

Thank you for your time and consideration of this evidence. The full reports can be found on our Web Site at <http://www.medsch.wisc.edu/mep/>.

A handwritten signature in cursive script, reading "Karen A. Palmersheim".

Karen A. Palmersheim, Ph.D.
Researcher and Director

Tobacco Surveillance & Evaluation Program
University of Wisconsin Paul P. Carbone Comprehensive Cancer Center
610 Walnut Street
Madison, Wisconsin 53726

Phone: (608) 262-2825
Email: kpalmers@wisc.edu

Table 1. Percent of Bartenders Reporting Upper Respiratory Symptoms, at Baseline and 3-5 Month Follow-up (Non-Smokers; N=230)

Upper Respiratory Symptoms (past 4 weeks)	Percent Reporting Symptom		Paired t-tests*
	Baseline (pre-ordinance)	Follow-up (post-ordinance)	p-value
Wheezing or whistling in chest	31%	21%	.001
Shortness of breath	41%	30%	.001
Cough first thing in the morning	43%	33%	.014
Cough during the rest of the day/night	52%	32%	.000
Cough up any phlegm	53%	34%	.000
Red or irritated eyes	70%	48%	.000
Runny nose/irritation, sneezing	78%	57%	.000
Sore or scratchy throat	61%	38%	.000

* Comparison of Baseline to Follow-up; Paired T-Test Analyses, 2-tailed test

Table 2. Percent of Bartenders Reporting Upper Respiratory Symptoms, Pre-Ordinance and One Year Later (Non-Smokers)

Upper Respiratory Symptoms (past 4 weeks)	Percent Reporting Symptom		p-value ^a
	Pre-Ordinance (N=409)	Post-Ordinance (N=433)	
Wheezing or whistling in chest	31%	16%	.000
Shortness of breath	40%	27%	.000
Cough first thing in the morning	44%	24%	.000
Cough during the rest of the day/night	50%	29%	.000
Cough up any phlegm	50%	32%	.000
Red or irritated eyes	72%	41%	.000
Runny nose/irritation, sneezing	76%	53%	.000
Sore or scratchy throat	62%	38%	.000

^a Comparison of Pre-Ordinance to Post-Ordinance; Pearson Chi-square Analyses, 2-tailed test



Date: May 31, 2007

To: The Senate Committee on Public Health, Senior Issues, Long-Term Care and Privacy,
Senator Carpenter, Chair

From: Edward J. Lump, President & CEO
Wisconsin Restaurant Association
2801 Fish Hatchery Rd.
Madison, WI 53713

Re: Support for SB 150 – Smoke-Free Workplaces

The Wisconsin Restaurant Association (WRA) supports SB 150. We wish to express our appreciation to Senator Risser and Representative Wieckert for authoring this legislation. We thank the other legislators that have taken the courageous step of putting their name on this bill as co-sponsors.

What may be a little known fact today is that WRA worked with Senator Risser in the 1980's to pass Wisconsin's "Clean Indoor Air Act." At that time, the WRA Board of Directors envisioned the future and realized that regulation of smoking in restaurants was going to happen and that it would be better to have one state law than many municipal ordinances. They decided that a fair law was more likely to be passed if they got on the train than if they waited to be run over by it.

The situation is the same today. It's clear a smoking ban is coming. 33 municipalities have passed a smoking ban of some kind. More are on the way. In January 2007, Governor Doyle announced support for a workplace smoking ban. The Tavern League (TLW) responded by saying they could support it as long as there is a tavern exemption. In 2005, TLW had a bill introduced that banned smoking in restaurants statewide but exempted taverns - sort of a "my rights are more important than your rights" argument. This session, we anticipate a smoking ban budget amendment from the TLW with a tavern exemption, since there would not be the votes to pass a stand-alone bill like that through either house of this Legislature.

Given all this activity, WRA felt it was time to get on the train and try to pass a bill that was fair to everyone and not be run over by the train. The Clean Indoor Air Act has served Wisconsin well for 20 years, but the time has come for another change in smoking public policy.

A big question being asked is why WRA can't agree with the TLW on this issue? The answers are simple:

- **Approximately 35 % of our members do not have liquor licenses.** In every municipality where a ban exists with a tavern exemption, these restaurants lose customers to businesses that have liquor licenses. I am not referring to Quick Service Chains here. I am talking about "ma & pa" diners, locally owned sit down restaurants like George Webb's, the many "family" restaurants, and main street cafés in small towns.

- **Many restaurants with liquor licenses do not sell enough alcohol to qualify as a tavern.** A tavern is defined as any business that sells more alcohol than food. Regardless of what happens with a tavern exemption in a state law, these restaurants do not and will not qualify for a tavern exemption in many municipalities. Where they do qualify as a tavern, they will be the first target as their municipality tries to tighten its exemption.
- **A workplace smoking ban is coming sooner or later.** If it doesn't pass now, the issue will return to the legislature every session until it does. In the meantime, the hodgepodge of local ordinances will continue to proliferate with all the inequities that go along with them. In January 2007, the WRA Board voted to support a total workplace ban because they viewed it as the only way to create a level playing field. To state this another way, there are just two paths two paths to a level playing field. One is no regulation at all, but that horse has left the barn. The other is a complete ban. Anything in between unfairly creates winners and losers, with government regulations determining which businesses will survive and which flounder.

Let's get our facts straight. The Committee is going to hear from tavern owners that they will lose 35%- 40%- 50 % and more of their business if SB 150 passes. We agree that some have faced this outcome in Madison and Appleton. However, the reason for these losses is that smokers can go to taverns/restaurants just outside the municipal boundaries or to businesses inside the city that have an exemption. This is exactly what WRA aims to prevent this by passing a statewide ban. This "levels the playing field" so no one loses customers to anyone else.

Some speakers will seek to authenticate the horror stories by citing various studies, including one by the National Restaurant Association released in 2004. **What they are unlikely to tell you is that the talking points state that, and I quote, "...the impact of statewide bans was not examined."** They are also not likely to tell you that the data was obtained from annual operations surveys conducted by Deloitte for the national Restaurant Association for the years 1991, 1996, 1997, 1999, and 2000. In other words the data is somewhere between 7 and 16 years old. A lot has happened since then. 20 states and several foreign countries have banned smoking. Wisconsin has 33 local ordinances vs. just a few during the years surveyed. With all the newer and better data available, why would anyone refer to a study conducted in the 1990's as the definitive study on the impact of smoking bans on businesses?

The number of smokers continues to decrease and customer support for banning smoking everywhere continues to rise. Whereas, even as late as 2000, most state restaurant associations opposed bans, now more and more lead the charge for workplace bans.

The time has come. Nearly two-thirds of Wisconsin voters want this law, and our industry needs this law. Let's put this behind us for good and step into the future, which we know includes smoke-free workplaces. We urge you to pass SB 150.

Thank you for your consideration.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. This includes recording dates, amounts, and the nature of the transactions. The second part of the document provides a detailed breakdown of the company's revenue streams. It identifies the primary sources of income and analyzes their contribution to the overall financial performance. The third part of the document addresses the company's expenses, highlighting areas where costs can be reduced without compromising the quality of the products or services. The fourth part of the document discusses the company's financial goals for the upcoming year, including targets for revenue growth, profit margins, and cash flow. The fifth part of the document provides a summary of the key findings and recommendations, emphasizing the need for continued vigilance and proactive management of the company's finances.



SMOKING BANS

HURT BUSINESS

*"Don't allow our taverns to have smoking
but let them smoke in the casinos. How fair is that?"*

— Pete Olson - The Corner Bar - Black River Falls



